

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 21-22, 2003

Reference No.: 2.4b.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Brice D. Paris
Division Chief
Right of Way

Ref: **RESOLUTIONS OF NECESSITY**

ISSUE:

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

RECOMMENDATION:

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18779 through C-18793. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18779 - Peter Sonnen, et al.

04-Mrn-101-KP 16.1- Parcel 54598-1,2,3 - EA 226152 - Certification Date: 1/31/04 - RTL Date: 4/30/04 - (Freeway - construct HOV lane). Authorizes condemnation of land in fee for a State highway, a temporary easement for construction, a permanent easement for public utilities. Located in the city of San Rafael at 740 Francisco Boulevard West.

C-18780 - Henry R. Kempf

06-Fre-180-KP 102.3- Parcel 84989-EA 342439 - Certification Date: 2/1/04 - RTL Date: 3/1/04 - (Freeway - construction of a new alignment for State Route 180). Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access. Located in the city of Fresno at 1325 North Fowler Avenue.

C-18781 - Alex Garcia

07-LA-60-PM 22.2- Parcel 77954-1,2 - EA 0239A9 - Certification Date: 06/01/03 - RTL Date: 07/01/03 - (Freeway- sound wall project). Authorizes condemnation of a permanent ingress and egress easement for sound wall maintenance and sound wall footing purposes, and a temporary easement for construction purposes. Located in the city of Diamond Bar at Walnut Drive and Flintgate Drive.

C-18782 - Georgina Romero

07-LA-405-KP 44.7 - Parcel 76874-1,2,01-01 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and land in fee, which is a remnant and would have little market value. Located in the city of Culver City at 3918 Tuller Avenue.

C-18783 - Los Angeles County Flood Control District

07-LA-405-KP 42.8-PM 26.6 - Parcel 76849 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of a permanent easement for State highway purposes and extinguishment of abutter's rights of access. Located in the city of Culver City, near Ballona Creek north of the 405 Freeway north of McDonald Street.

C-18784 - Los Angeles County Flood Control District

07-LA-405-KP 42.8-PM 26.6 - Parcel 76892 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of a permanent easement for State highway purposes and extinguishment of abutter's rights of access. Located in the city of Culver City near Ballona Creek, south of the 405 Freeway, north of McDonald Street.

C-18785 - Los Angeles County Flood Control District

07-LA-405-KP 42.8-PM 26.6 - Parcel 77102 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for a State highway. Located in the city of Culver City north of the 405 Freeway adjacent to McDonald Street.

C-18786 - Los Angeles County Flood Control District

07-LA-405-KP 42.8-PM 26.6 - Parcel 77105 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for a State highway. Located in the city of Culver City south of the 405 Freeway adjacent to McDonald Street.

C-18787 - Diane Garcia

07-LA-405-KP 44.7- Parcel 76875 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for a State highway and excess land in fee to which the owner has consented. Located in the city of Culver City at 3914 Tuller Avenue.

C-18788 - Los Angeles County Flood Control District

07-LA-405-KP 45.9- Parcel 76925 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Culver City at the Westwood Channel.

C-18789 - CA-Sepulveda Center Limited Partnership

07-LA-405-KP 46.2-PM 28.71 - Parcel 76885 - EA 1178U9 - Certification Date: 06/02/03 - RTL Date: 06/02/03 - (Widen existing Freeway and construct HOV lanes). Authorizes condemnation of land in fee for State highway and extinguishment of abutter's rights of access. Located in the city of West Los Angeles at 3415 South Sepulveda Boulevard.

C-18790 - BBC Properties, a California General Partnership

08-SBd-210-KP 31.0 R- Parcel 18144-1,2,3,01-01 - EA 443919 - Certification Date: 06/01/03 - RTL Date: 08/04/03 - (Construct new six lane Freeway). Authorizes condemnation of land in fee for a State highway, a permanent easement for ingress and egress purposes, a temporary easement for construction purposes, and land in fee, which is a remnant and would have little market value. Located in the city of Rialto at 2400 West Highland Avenue.

C-18791 - Henry C. Harris and Mary J. Harris, Trustees

10-SJ-88-KP 19.70- Parcel 15023 - EA 2A9109 - Certification Date: 07/01/03 - RTL Date: 07/01/03 - (Conventional Highway - install traffic signals and improve intersection geometrics). Authorizes condemnation of land in fee for a State highway. Located near the city of Lockeford at 17112 North Highway 88.

C-18792 - Nickolas H. Spanos, et ux

10-SJ-88-KP 20.10- Parcel 15017- EA 2A9109 - Certification Date: 07/01/03 - RTL Date: 07/01/03 - (Conventional Highway - install traffic signals and improve intersection geometrics). Authorizes condemnation of land in fee for a State highway. Located near the city of Lockeford at 17336 North Highway 88.

C-18793 - Roxanna L. Gonzales, Trustee

10-SJ-120-KP 25.7- Parcel 14356-1, 1A, 2 - EA 0A7409 - Certification Date: 12/19/02 - RTL Date: 6/25/03 - (Conventional highway - AC Overlay and Widen Shoulders). Amends Resolution No. C-18627 adopted August 22, 2002, which authorized condemnation of land in fee for a State highway. This Amendment changes and enlarges the area of the acquisition. The proposed drainage basin included in the original design has been moved from the front to the back of the property, and an easement added for a pipeline. A new appraisal was done, and the amount of compensation has been increased.